

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

BYTEMARK, INC.,

Plaintiff,

vs.

MASABI LTD.,

Defendant

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Civil Action No. 6:22-cv-00304-ADA

JURY TRIAL DEMANDED

**SECOND SCHEDULING ORDER**

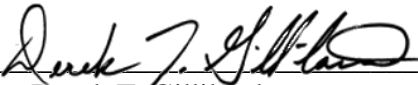
IT IS HEREBY STIPULATED AND AGREED by and between the parties and subject to the approval of the Court, that the following deadlines contained in the Scheduling Order (D.I. 40), are amended as follows:

Event	Current Deadline	Proposed Deadline
Masabi's Response to Plaintiff's Motion to Strike Masabi's CC Brief.	May 13, 2024	June 3, 2024
Defendant files Reply claim construction brief.	May 14, 2024	June 4, 2024
Plaintiff files a Sur-Reply claim construction brief.	May 28, 2024	June 27, 2024
Plaintiff files Reply Motion to Strike Masabi's CC Brief.	May 28, 2024	June 27, 2024
Parties submit Joint Claim Construction Statement and email the law clerks an editable copy.  <i>See General Issues Note #7 regarding providing copies of the briefing to the Court and the technical advisor (if appointed).</i>	May 30, 2024	July 1, 2024

Parties submit optional technical tutorials to the Court and technical advisor (if appointed).	June 3, 2024	July 3, 2024
Markman Hearing.	June 10, 2024	July 10, 2024
Fact discovery opens; deadline to serve Initial Disclosures per Rule 26(a).	June 11, 2024	July 11, 2024
Deadline to add parties.	June 25, 2024	July 16, 2024
Deadline to serve Final Infringement and Invalidity Contentions. After this date, leave of Court is required for any amendment to infringement or invalidity contentions. This deadline does not relieve the parties of their obligation to seasonably amend if new information is identified after initial contentions.	July 11, 2024	August 12, 2024
Deadline to amend pleadings. A motion is not required unless the amendment adds patents or patent claims. (Note: This includes amendments in response to a 12(c) motion.)	September 16, 2024	No change.
Deadline for the first of two meet and confers to discuss significantly narrowing the number of claims asserted and prior art references at issue. Unless the parties agree to the narrowing, they are ordered to contact the Court's law clerk to arrange a teleconference with the Court to resolve the disputed issues.	November 18, 2024	No change.
Close of Fact Discovery.	December 13, 2024	No change.
Opening Expert Reports.	December 20, 2024	No change.
Rebuttal Expert Reports.	January 21, 2025	No change.
Close of Expert Discovery.	February 4, 2025	No change.

Deadline for the second of two meet and confers to discuss narrowing the number of claims asserted and prior art references at issue to triable limits. If it helps the parties determine these limits, the parties are encouraged to contact the Court's law clerk for an estimate of the amount of trial time anticipated per side. The parties shall file a Joint Report within 5 business days regarding the results of the meet and confer.	February 11, 2025	No change.
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SO ORDERED this 17<sup>th</sup> day of May, 2024.

  
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Hon. Derek T. Gilliland  
United States Magistrate Judge